

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE SOCIAL WORKER SECTION OF THE  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING,  
AND SOCIAL WORK EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

SARAH M. NELSON,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0002543**

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Division of Legal Services and Compliance<sup>1</sup> Case No. 13 SOC 027

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Sarah M. Nelson  
2401 Jefferson St.  
Stevens Point, WI 54481-4040

Social Worker Section  
Marriage and Family Therapy, Professional Counseling, and  
Social Work Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section). The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Sarah M. Nelson (dob December 28, 1980) is certified in the State of Wisconsin as a social worker, having certification number 9112-120, first issued on May 18,

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2006 and current through February 28, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2401 Jefferson Street, Stevens Point, Wisconsin 54481-4040.

2. On March 12, 2013, Respondent reported to her employer that in late fall of 2012, Respondent had shared confidential patient information from Client A's case file with the parents of Client B. Respondent explained that she shared the confidential patient information in an effort to provide the parents of Client B with information about the different treatment options that could be available for Client B, whose circumstances were similar to Client A's.

3. Respondent had attempted to redact all of Client A's identifying information from the records before she shared them with the parents of Client B. However, Respondent mistakenly did leave some of the identifying information in the records that she shared.

4. Respondent's employer has taken appropriate action in regards to this incident to educate the Respondent. Respondent states that she now understands that her release and disclosure of confidential patient information about Client A to the parents of Client B, without the authorization and consent of Client A, was a violation of Wis. Stat. § 51.30(4)(a) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 CFR §164.508(a).

5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 457.26, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Sarah M. Nelson violated Wis. Admin. Code § MPSW 20.02(2) when she revealed confidential patient information from one client to a third party without the client's consent, which violated Wis. Stat. § 51.30(4)(a) and HIPAA, 45 CFR §164.508(a).

3. By the conduct described in the Findings of Fact, Sarah M. Nelson violated Wis. Admin. Code § MPSW 20.02(10) by revealing facts, data, information, records received from a client in a professional capacity.

4. As a result of the above violations, Sarah M. Nelson is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f) and (g).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Sarah M. Nelson is REPRIMANDED.

3. Within 90 days from the date of this Order, Sarah M. Nelson shall pay COSTS of this matter in the amount of \$150.00.

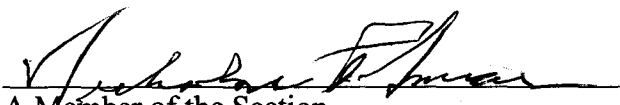
4. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Section in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered, Respondent's license (no. 9112-120) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

6. This Order is effective on the date of its signing.

SOCIAL WORKER SECTION OF THE WISCONSIN MARRIAGE AND FAMILY  
THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK EXAMINING BOARD

by:   
A Member of the Section

7-24-13  
Date